

Plaintiff Christopher L. Murphy is an inmate at the Dale County Jail. He filed this *pro se* 42 U.S.C. § 1983 action seeking relief from the conditions at the jail, and named as defendants the Dale County Jail itself and Wally Olson, the Sheriff of Dale County, Alabama. (Doc. # 1.) The Magistrate Judge recommends dismissing the Dale County Jail as a defendant because it is not a legal entity subject to suit. (Doc. # 5.) Mr. Murphy has timely filed an objection, specifically “objecting to the dismissal . . . against Wally Olson.” (Doc. # 7, at 1.) But the Magistrate Judge did not recommend dismissing Sheriff Olson as a defendant — only the Jail. Thus, having conducted an independent and *de novo* review of the Recommendation, *see* 28 U.S.C. § 636(b), and having construed Mr. Murphy’s

objection with the leniency afforded *pro se* plaintiffs, the court concludes the objection is due to be overruled.

It is accordingly ORDERED as follows:

1. The Recommendation of the Magistrate Judge (Doc. # 5) is ADOPTED.

2. Mr. Murphy's claims against the Dale County Jail are DISMISSED WITH PREJUDICE prior to service of process pursuant to the provisions of 28 U.S.C. § 1915(e)(2)(B)(i).

3. The Dale County Jail is DISMISSED as a defendant in this cause of action.

4. This action is REFERRED back to the Magistrate Judge pursuant to 28 U.S.C. § 636 for further proceedings and determination or recommendation as may be appropriate.

DONE this 23rd day of May, 2018.

/s/ W. Keith Watkins
CHIEF UNITED STATES DISTRICT JUDGE